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REMARKS

Claims 1, 3-9, 11-20 and 26-27 are currently pending in the application.

Reconsideration of the application in its current format is hereby requested.

Initially, Applicant notes that the Examiner and the undersigned attorney failed to reach an agreement with regard to the amendments to the claims proposed by the Examiner in their telephone conversation of February 16, 2006. This is confirmed by the Examiner's Interview Summary provided in the Office action. The substance of the amendments proposed by the Examiner are set forth in the Office action.

The Examiner has issued an Ex parte Quayle action closing further prosecution on the merits because the Examiner has allowed claims 1, 3-9, and 11-20, except for certain "formal matters". These "formal matters" include the amendments proposed by the Examiner. Applicant respectfully submits that these amendments are directed to the substance of the claims (e.g. "transformer" versus "transformer winding", and "curing" versus "melting and curing" etc.) and, thus, cannot be considered "formal matters". Accordingly, Applicant submits that the Examiner has not really allowed the claims and has improperly issued an Ex parte Quayle action. Therefore, Applicant respectfully requests the Examiner to retract the current Ex parte Quayle action and either issue a notice of allowance allowing all of the claims in their current form, or issue a substantive Office action.

In the Office action, the Examiner is trying to have the Applicant amend claim 1 so as to recite a "transformer winding" instead of the claimed "transformer". In addition, the Examiner has found that claims 26 and 27 are directed to an invention that is

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"independent or distinct" from the invention originally claimed because the originally claimed invention is a subcombination (forming a transformer winding), while claims 26 and 27 are directed to a combination (forming a transformer). In both the originally claimed invention and in the amended claims (including claims 26 and 27), the particulars of the invention are directed to the subcombination (transformer winding), i.e., curing adhesive or resin of the transformer winding by providing electric power to conductors of the transformer winding. In this type of situation, a restriction between a combination and subcombination is not proper, as is clearly set forth in MPEP §806.05(c)I, which states that: "Where a combination as claimed sets forth the details of the subcombination as separately claimed, there is no evidence that combination AB^{sp} is patentable without the details of B^{sp}. The inventions are not distinct and a requirement for restriction must not be made or maintained, even if the subcombination has separate utility. This situation can be diagrammed as combination AB^{sp} ("sp" is an abbreviation for "specific"), and subcombination B^{sp}. Thus the specific characteristics required by the subcombination claim B^{sp} are also required by the combination claim."

As a practical matter, if Applicant amended claim 1 and claim 26 to recite a "method of forming a transformer winding", obtained allowance of these claims and then filed a divisional application containing claims reciting a "method of forming a transformer" and containing only the steps of forming a transformer winding recited in allowed claims 1 and 26, respectively, the Patent Office could not issue an obviousness-type double patenting rejection pursuant to 35 U.S.C. §121. Applicant does not believe that this type of result is desired by the Patent Office, as is evidenced by MPEP

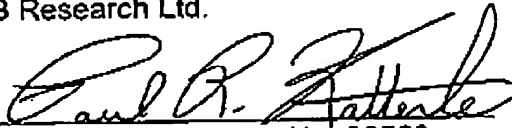
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§806.05(c)I.

In the Office action, the Examiner also objected to the drawings under 37 CFR 1.83(a) because it is the Examiner's position that the subject matter "a power source and connecting the power source to the electrical conductor as to cure the adhesive" recited in claim 1 is not shown in the drawings. Applicant respectfully submits that this subject matter is in fact shown in Fig. 5. More specifically, Fig. 5 shows a DC power supply 12 connected to primary winding 10a.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 050877.

Respectfully submitted,
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